G. R S. IX-6

Previous references

File No. 417

192 / .

Serial Nos.

(Mugrai) 1–4

Later references. Mag 103-22-1-5 Vol-27

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for May 1922

SUBJECT.

Petition from Syed Irack of Bangalore city re the Dy Comrs order in connection with the Muzavarship of Raja Hussaini Dargah Balepet B. city

Petn no 6178 Dy 4.5.22.

Rejecting the appeal

WD 1888—GPB—16,626—23-7-21

G. R. S. 11] 1921.

GENERAL AND REVENUE SECRETARIAT.

(Imperial)

NOTES.

File No. 417 11

FILE HEADING.

Received petition regarding the appointment of the Manager of the Raja Dharmendra Bank at Rajpipla.

From

Syed Esak, C/o Indian Imperial Bank, Rajpipla.

No. Petn Dated 14.12.21 Received 15.12.21

Diary No. 2406	Enclos 1	Spare Copies -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests for cancellation of Govt Resn of 3.Dec 1913/Imperial 32 03-06 dated the 20th October 1921 directing the appointment of Syed Kutbuddin as the Manager of the Raja Dharmendra Bank at Rajpipla

NOTES AND ORDERS.

Draft O.M. & draft endorsement submitted for approval as directed

15/12/21 15/12/21

NOTES—First Sheet.

General and Revenue Secretariat.

Muz File No. 417 of 1921-22

Serial No.	
2	To The Deputy Commissioner Bangalore No: 3330 dt. 6.1.22 Forwarded the petition dt. 5.1.22 for report No. 3331 dt 6.1.22 Endorsement of the petitioner
3	From The Deputy Commr, Bangalore District No. HC. 477 of 21-22 dt 1.4.22. Remits the records relative to the Muzavarship of Raja Hussein Dargah at Balepet, Bangalore City together with a detailed report on the several points raised in the Revision petition. The paper under disposal explains clearly the facts about the allegations in the petition of Syed Esak The question of filling up the Office of the Muzavar of the Raja Hussein Dargah permanently has been dealt with in Muz File 32 of 13 Sers 1 to 16 and the Govt. have approved Syed Kudbu

NOTE—Contn. sheet

General and Revenue Secretariat.

Mug File No. 417 of 19 22

Serial No.

As remanet mezan ar in G.O. No: 1973/Mug 32-13-16 dy 19-9-24 In Connection for ordn, ets

Under the above circumstances, the present Applicatin be rejected and an endorsement issued to the petitioner Syed Esak.

Sd/ 12/4/22 Sd 12/4/22

Draft-accepted By Sd/

Sd/ Chief Secretary

Sd 20.4.22 Sd 20/4/22

The ~~Govt~~ petr has given a statement before the Asst that he could not produce witnesses as promised & that the Case might be decided on the evidence recorded.

The petr had Cross examined the witnesses on whose statements the G.O. now sought to be revised was based.

There is no reason to reopen the Case.

Draft-endorsement for orders

Sd/ 21/4

Cat 2

Refer to the immediately preceding Cat 2

1 Secretary

P.J.O.

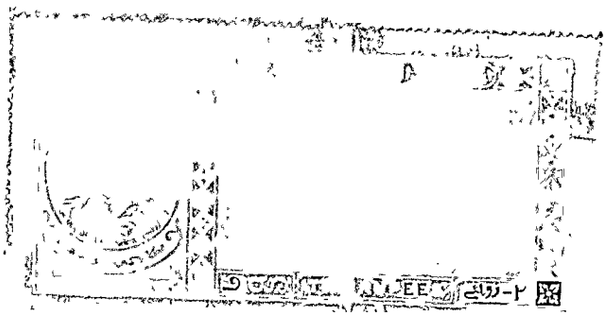
NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 41 of 19

Serial No.	
5926-348. 28.4.22	
4	No 6178 & 4th May 22 Do, Lyd Isak. Bangalore City States that there is no reason to reopen the case No & May 22 Copy to the D.C. Bangalore

NOTE—Contn. sheet.



2406

11 22
Muz
417-21
8x1

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

-----o:O:o-----

Muzarai Miscellaneous petition No. of 21-22.

------:O:------

Petitioner (Respondent).		Opponent (Appellant).
	--vs.--	
Syed Esak.		Syed Kutbudin.

******

Under Sections 21 and 22 of the Mysore Muzarai Regulation the petitioner, abovenamed respectfully begs to file this petition praying for a revision of the Order No.1973/Muz. 32-13-16 passed on 20th October 1921 relating to the Office of Muzavar of the Raja Hussain Darga at Balapet, Bangalore City, on the following grounds: -

1. That the petitioner has had no notice of any kind regarding the petition filed by the opponent on which the present order has been passed.

2. An order having once been passed by the Deputy Commissioner in favour of the petitioner, the present order adverse to his interests ought not have been pronounced without giving the petitioner a hearing.

3.

3. The order being thus exparte, passed behind the back of the petitioner and adverse to his interests cannot be sustained either in Law or in Equity.

4. The petitioner is Syed Khasim's own -brother's son and not "the son of a cousin of Syed Khasim" as erroneously stated in the - order under consideration.

5. The opponent is not the daughter's son of Syed Khasim and even if he be so, he cannot be said to be a nearer heir to Syed - -Khasim than his own brother's son, the petitioner.

6. There are no good reasons in support of the order under consideration.

7. The order under consideration is not further clear as to whether the appointment is made temporarily or otherwise.

8. If the present order is passed merely to fill up the vacancy, as a temporary - measure the petitioner may be given an endorsement to that effect and he be directed to - establish his rights by means of a regular suit as his interests are considerably jeopardised by a summary disposal.

Wherefore the petitioner humbly prays that the present exparte order may be set aside and the petitioner's claims decided on merits, - after giving him a full hearing or such other

orders

orders be passed as would promote justice. The petitioner came to know of the present order on 14th November 1921, when he applied for a copy of the same immediately and has now presented this petition for a proper disposal of the case on merits.

(Sd). Syed Esak,
C/O
Maistry Ramaswamappa, Balepet,
Bangalore City.

Bangalore City,
Dated 14th Decr: '21.

(Sd) Syed Esak.

G. R. S. VI.—6/7]

DRAFT.

SUBJECT.....

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.....

Section. Inungai
File No. 413-21
Serial No.

No. 3330

Bn. Bv 6

Diary No. of letter replied to 2606

OFFICIAL MEMORANDUM.

GENERAL AND REVENUE SECRETARIAT,
(VII)
, *the* ..... *191* .

Date of issue 6-1-1922

Signed by ... V. E. J. ...

The accompanying Petition Registered No. 2606 dated the 16th Dec Inungai 1921, received at the ~~General and Revenue~~ Secretariat from Syed Esak, Baleh, Bangalore City praying for a revision of G.O.No 1873 Inungai 3-2-13-16 dated the 20th October 1921 pending the appointment of Syed Kubbudin as the Inungavar of the Raja Hussain Barga at Baleh, Bangalore City is forwarded, together with its enclosures, to the ~~Dy Com~~ Bangalore for ~~Prosecution, with the records of the Case~~ for As to the allegations of the Petr. ~~the records of the Case~~ ~~returned with~~

together with the records connected with the case -

By Order,

Secretary to Government.

P.T.O.

15/12/21

ಆಜೀದಾರ .....ತಾಲ್ಲೂಕು

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ನಂಬರು.....

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ಮುಕ್ಕಮಿನ ಅರ್ಜಿಯನ್ನು..... . . ..ಬಗ್ಗೆ

....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

By Order,

Secretary to Government.

List of enclosures

Copied by..... .. ...

Examined by..... .....

WD 1255—GPB—5 000—21-1-19

G. R. S. VI.—6/9]

DRAFT.

SUBJECT.....

.....

.....

Section.
File No.
Serial No.

Diary No. of letter replied to.....

No. 3331

ENDORSEMENT.

GENERAL AND REVENUE SECRETARIAT

( )

, the.....*191* .

Granted to Syed Esak, c/o Maisaby Ramaswamappa, Balepet, Bangalore city

Date of issue 6.1.1922

Signed by [illegible]

In reply to his petition dated 16th Dec'1921 praying for a re consideration of the order passed in the matter of granting Syed Kulbuddin as the Manager of the Rajah Hussain Dargah at Balepet, Bangalore city, the petitioner is informed that his application has been forwarded to the Deputy Commissioner, Bangalore with [illegible]

By order,

[illegible]

Secretary to Government,

List of enclosures.

Copied by... ... .

Examined by. ....

WD 02180—GPB—2,000—27-4-16.

T.V 3/4.4.22

No. Jtc 477 of 21-22 1 file + 1 letter withdrawn.

From

B.Ramaswamaiya, Esq., B.A., B.L.,

Deputy Commissioner,

Bangalore District.

To

T.E.Jayaruma Iyer, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Muzrai Department.

Office of the Deputy Commissioner,

Bangalore District,

Dated Bangalore, 1st April 1922.

4191

21-22

Muzrai

417-21-3

Sir,

With reference to your Official Memorandum No.3330/Muz.417-21-2 dated 6th January 1922 forwarding for report with records the revision application of Syed Esak, re the Muzavership of Raja Hussain Darga at Balepet, Bangalore City, I have the honor to submit herewith the records ending with the Bangalore Taluk Amildar's report No.778 dated 8th February 1922 and to state as follows:-

2. The petitioner's ground that the order passed by Government was exparte is not correct. On the petition of Kutbuddin to Government they were pleased to order the Deputy Commissioner to hold an enquiry into petitioner's claim and resubmit the records with his opinion(Vide, Muzrai Secretary's letter No.301/Muz.32-13-10 dated 27th July 1920. In accordance with the above, the present petitioner Syed Esak was served with a notice. He and his counsel were both present before this office and before the Amildar at the time of enquiry on all the days of hearing(11 days). He has cross examined at length all the witnesses including Kutbudin cited by the other party. Though he was given time for more than a month, to produce all the evidence in his favour, he not only failed to do so, but prayed that the case might be disposed of on the evidence already recorded(vide, his statement before the Bangalore Taluk Amildar on 15th January 1921)Flag Z.

From

To

Dated

Despatched

Received

General No. _____

No.

Enclosure No.

3. As regards other points urged in the petition, they have already been dealt with in this office No.H.C.459 of 19-20 dated 5th April 1921.

The revision application is herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Bangalore District.

G. R. S. VI—G/32J

SUBJECT..... .. ..

....

....

Diary No. of letter replied to———

General and Revenue Secretariat

( )

, the *191* .

Section

File No. 417 21

Serial No 4

No. 6194

Date of issue 4-5-21

To

Signed by Mr. R Venkata

[illegible]

[illegible]

[illegible]